
Response to Comments of Public Hearing in San Jose, May 26, 2004 (PH-SJ001-054)

PH-SJ001-1

Acknowledged. Please see standard response 6.3.1.

PH-SJ001-2

Please see standard response 2.18.1.

PH-SJ001-3

Acknowledged. Please see standard response 6.3.1.

PH-SJ002-1

Please see standard response 6.3.1.

PH-SJ002-2

Please see standard response 2.18.1.

PH-SJ002-3

Please see standard response 6.3.1.

PH-SJ003-1

Acknowledged.

PH-SJ003-2

Please see standard response 6.3.1.

PH-SJ003-3

Please see standard response 2.18.1.

PH-SJ003-4

Please see standard response 6.3.1.

PH-SJ004-1

Acknowledged.

PH-SJ004-2

Please see standard response 2.18.1.

PH-SJ005-1

Acknowledged.

PH-SJ006-1

Please see standard response 6.3.1.

PH-SJ006-2

Please see standard response 2.18.1.

PH-SJ006-3

Acknowledged.

PH-SJ007-1

The statements regarding revenue and return of investment on Page 2.4 (Draft Program EIR/EIS) are based on the Authority's Final Business Plan, June 2000, and the supporting technical studies: Independent Ridership and Revenue Projections for High-Speed Rail Alternatives in California, 2000, and California High-Speed Rail Corridor Evaluation, 1999.

Please see standard response 2.1.1 in regards to the Authority's ridership and revenue forecasts.

The statement on Page 2.4, "Generate about \$900 million in revenues and return an operational surplus of more than \$300 million per year" is based on projected revenue versus operational and maintenance costs only. Capital costs were not a part of the calculation of annual return surplus. Further information regarding the composition of the capital costs was presented in Chapter 4 of the Draft Program EIR/EIS, and the Capital Cost Technical Report.

The operations and maintenance costs applied in this calculation include train operations, equipment maintenance (including lifecycle costs), station services, marketing and reservations, insurance, general support, maintenance of way (infrastructure maintenance), and power. The operations and maintenance costs applied in the Business Plan calculations are documented in the Corridor Evaluation Study. The O&M costs related to the alternatives considered are documented in Chapter 4 of the Program EIR/EIS, in the Operations Technical Report, and in the Costs and Operations Technical Report. Cost figures were presented for purposes of assessing potential environmental impacts. It is beyond the scope of the EIR/EIS to present a complete financial analysis for the proposed HST system.

PH-SJ007-2

Please see standard response 2.7.3.

PH-SJ007-3

Please see standard response 3.4.1.

Noise barriers may be proposed in portions of the HST system where subsequent project level studies determine that the HST improvements and/or operation result in impacts. The placement and configuration of the noise barriers would depend on the location and height of the noise-sensitive building(s) or resource(s) and the speed of the high-speed trains. (See Section 3.4.5-A of the Draft Program EIR/EIS)

PH-SJ007-4

The comment is not specific about which environmental issues are "understated" for the peninsula corridor communities; however, the summary table (7.3-1) does identify moderate to high potential for visual impacts for elevated structures, and 3% to 14% of the alignment length with high potential for impacts on noise sensitive land use/populations, without mitigation. Section 7.1.3 *Construction Impacts* describes short-term construction-related effects of dust and noise as a potential cumulative impact to communities when considered with other planned projects that might be under

construction during the same period. The Table was developed from the information provided in the more detailed discussions of potential impacts in Chapter 3 of the Draft EIR/EIS.

Please see the more detailed discussion of potential impacts for the Bay Area to Merced region in each of the technical sections of the Draft Program EIR/EIS, particularly under noise (pages 3.4-17) and visual (pages 3.9-11). For noise it states that "the existing Caltrain alignment along the San Francisco Peninsula and the East Bay railroad alignments passes through densely populated communities where there is high potential for noise impacts. The potential noise impacts of the proposed HST service through these areas would result primarily from the greater frequency of trains, since the HST service would be operating at reduced speeds and would create similar noise levels to the existing services. The HST system would be expected to result in the elimination of up to 48 grade crossings on the Peninsula and up to 38 grade crossings in the East Bay. Grade separation of existing rail services would result in considerable benefits from the elimination of the warning bells at existing at-grade crossings and the horn blowing of the existing commuter/intercity services along these alignments."

Visual impacts are described as "the track, catenary, fencing, 12-ft. to 16-ft high soundwalls and elevated guideway, and the trains themselves would introduce a linear element into the landscape that would have potential cumulative visual impacts when considered with the strong linear element of the existing highway and rail facilities that the HST would parallel." Consideration of potential impacts and potential mitigation measures is by necessity general at this program-level of analysis, and opportunities for avoiding or reducing the impacts can only be fully explored at the project-level when further engineering design information is available. The summary table is meant to show the relative differences between system alternatives for each topic and does not highlight specific community impacts. Information about individual communities within the five regions is found in the technical sections of the Program EIS/EIR and technical reports for each region.

PH-SJ007-5

Copies of the Draft Program EIR/EIS were placed in many local libraries for public viewing and the list of locations for viewing was publicized by mail and posted on the internet. Please also see standard response 8.1.1.

PH-SJ008-1

Please see standard response 6.5.1.

PH-SJ008-2

Acknowledged.

PH-SJ008-3

Please see standard response 2.18.1.

PH-SJ009-1

Acknowledged.

PH-SJ009-2

Please see standard response 6.3.1.

PH-SJ009-3

Please see standard response 2.18.1.

PH-SJ009-4

Acknowledged.

PH-SJ010-1

Acknowledged. The Authority and the FRA acknowledge concurrence with the Project's primary objectives. The Authority and the FRA also acknowledge your request for respect for the Yokut's and all other Native American territory.

PH-SJ010-2

Please see standard response 2.18.1.

PH-SJ010-3

Please refer to Response 6.3.1. Please also see standard response 3.12.1 and standard response 3.12.2.

PH-SJ010-4

Acknowledged. Please see standard response 10.1.14.

PH-SJ010-5

The Authority and the FRA acknowledge your request that the Gilroy HST Station be named in honor of the Amah Mutsun Tribal Band. The determination of station name is beyond the scope of this program-level process. Project-specific environmental work will be required to determine precise station locations. If the HST project should move forward, subsequent, more detailed analysis will cover issues like the naming of stations.

PH-SJ011-1

Please see standard response 2.18.1.

PH-SJ011-2

Please see standard response 6.3.1.

PH-SJ011-3

Acknowledged. Please refer to standard response 6.3.1.

PH-SJ011-4

Acknowledged. The Authority has identified Union City as the preferred HST station to serve South Alameda County.

PH-SJ012-1

Acknowledged. Please see standard response 6.3.1.

PH-SJ012-2

Acknowledged.

PH-SJ012-3

Please see standard response 2.18.1.

PH-SJ012-4

Acknowledged. Please see standard response 6.3.1.

PH-SJ012-5

Please see standard response 2.18.1.

PH-SJ012-6

Acknowledged. Please see standard response 6.3.1.

PH-SJ013-1

Please see standard response 6.3.1.

PH-SJ014-1

Acknowledged. The complexity of the issues and the size of the Draft EIR/EIS and supporting documents were recognized and the comment period was extended. While the minimum comment period would be 45 days, the co-lead agencies originally proposed a 90-day review period. After receiving requests to extend the comment period, the Authority and FRA agreed to increase the comment period by an additional 90 days (180 days total).

PH-SJ014-2

The effect of the system alternatives on greenhouse gas emissions for intercity transportation in California was addressed in Section 3.1 of the Draft Program EIR/EIS.

PH-SJ014-3

Acknowledged. The table below shows the approximate percentage of total passengers at each of the San Francisco Bay Area airports that are were making local, intra-California trips in the base year used for forecasting HST ridership. Assessing the need for or efficacy of proposed capacity enhancements at San Francisco

International Airport was beyond the scope of the analysis prepared for the EIR/EIS. However, a cost/benefit analysis of the proposed HST system was performed, and it did include a quantification of benefits arising from reduced delays at the major California airports.

Airport	Percent Local Intra-California Passengers (base year for HSR forecasts)
San Francisco International (SFO)	11.1%
Oakland International (OAK)	44.8%
San Jose International (SJC)	33.5%

PH-SJ015-1

Please see standard response 6.3.1.

PH-SJ016-1

Acknowledged. The Draft Program EIR/EIS describes the systemwide alternatives (HST, No Project, and Modal Alternative), and describes the potential environmental impacts of the various HST design options. A summary of the HST design option comparisons is provided in Chapter 6. As this is a program-level document, the alternatives are considered at a conceptual level of detail. Please see standard response 6.3.1, indicating further study of the northern mountain crossing corridor will be undertaken before a preferred alignment linking the Central Valley and the Bay Area is selected.

PH-SJ016-2

Please see standard response 6.3.1.

PH-SJ017-1

Acknowledged.

PH-SJ018-1

Please see standard response 6.3.1.

PH-SJ019-1

Acknowledged.

PH-SJ019-2

Acknowledged.

PH-SJ019-3

Acknowledged.

PH-SJ019-4

Please see standard response 6.3.1.

PH-SJ019-5

Please see standard response 6.23.1.

PH-SJ019-6

Acknowledged. The Authority has identified the Hayward Line to I-880 (which primarily utilizes the median of I-880 between Fremont and San Jose) as the preferred alignment between Oakland and San Jose.

PH-SJ019-7

Acknowledged.

PH-SJ019-8

Please see standard response 6.5.1. The Palo Alto and Redwood City sites are considered to be design options for a (single) potential "Mid-Peninsula" HST station.

PH-SJ019-9

Acknowledged. The Authority's preferred HST station locations do not include a station at Santa Clara. The Authority does not intend to investigate this potential HST station option in further studies.

PH-SJ019-10

Acknowledged.

PH-SJ020-1

Please see standard response 2.1.6.

PH-SJ021-1

Please see standard response 2.18.1.

PH-SJ021-2

They are nice but not required or necessary; the ones already included can be considered representative, conceptual renderings; it may be appropriate to include additional sims at the project-level when specific facilities and alignments are being analyzed.

PH-SJ022-1

Acknowledged. Please see standard response 6.3.1.

PH-SJ023-1

Please see standard response 2.18.1.

PH-SJ024-1

Please see standard response 2.18.1.

PH-SJ025-1

Acknowledged.

PH-SJ025-2

Acknowledged. Please see standard response 6.3.1.

PH-SJ025-3

Please see standard response 2.18.1.

PH-SJ026-1

Acknowledged. Please refer to standard response 6.3.1.

PH-SJ027-1

Please see standard response 6.3.1.

PH-SJ027-2

The co-lead agencies acknowledge that this is a Program EIR/EIS that would be followed by project-level environmental reviews that assess and address site-specific issues. The purpose of the Program EIR/EIS is to provide sufficient information to support the decisions to be made at the system and corridor level. In this regard the Co-Lead agencies have determined that more information is required to provide a basis for selecting an alignment option between Merced and the San Francisco Bay Area. Please see standard response 3.15.7 regarding anticipated future reviews of alignment options between the Central Valley and the Bay area and standard response 3.15.2 regarding the more general level of review in this PEIR/S and the more detailed impact reviews anticipated under the project-level, Tier 2 studies. The additional evaluations to be completed in these studies clearly will review the types of issues raised in this comment.

PH-SJ027-3

Please see standard response 6.3.1.

PH-SJ027-4

Please see standard response 2.18.1.

PH-SJ028-1

Please see standard response 6.3.1.

PH-SJ029-1

Please see standard response 6.3.1.

PH-SJ029-2

Please see standard responses 2.1.1 and 2.1.2.

PH-SJ030-1

Please see standard response 6.3.1.

PH-SJ030-2

Prior to revenue service, Emergency Preparedness Procedures will be developed in accordance with FRA regulations. Emergency access and evacuation plans will be completed and approved prior to final design of the system. Operating crews will be trained on these emergency preparedness procedures which will provide them with instructions on handling operating and passenger-related emergencies. To the extent possible, the HST infrastructure would be used to evacuate stranded passengers from and transport emergency personnel to remote locations. Train operations would be halted in the event of a forest fire that threatens the safety of the operation. In this case, passengers would be taken to a safe location and provided an alternate means of transportation.

Regarding wildfires, most of the undeveloped areas traversed by the HST alignment options are hilly or mountainous terrain, which require tunneling and elevated structures. These tunnels and structures provide substantial areas where the HST line can be crossed by emergency equipment fighting wildfires. Appropriate crossings could also be incorporated into the HST system as it is designed and implemented.

PH-SJ030-3

Please see standard response 3.15.5.

PH-SJ031-1

Please see standard response 6.3.1.

PH-SJ032-1

Please see standard response 2.18.1.

PH-SJ033-1

Please see standard response 2.18.1.

PH-SJ033-2

Please see standard response 6.3.1.

PH-SJ034-1

Please see standard response 2.18.1.

PH-SJ035-1

Please refer to Response 6.3.1. Please also see standard response 3.15.3 and standard response 3.15.4 on habitat and potential fragmentation.

PH-SJ036-1

Acknowledged.

PH-SJ037-1

Please see standard response 6.3.1.

PH-SJ038-1

While many foreign HST systems have produced outstanding safety records using design standards based on accident prevention, current Federal Railroad Administration safety regulations focus on accident survival for intercity passenger services. If it is approved, the proposed HST system would be designed to meet the requirements prescribed by the FRA for HST systems operating up to 220 mph. It is beyond the level of detail of this program-level EIR/EIS process to address specific design requirements for the proposed HST system.

PH-SJ038-2

Please see standard response 2.36.1 and standard response 2.36.8.

PH-SJ038-3

Acknowledged.

PH-SJ039-1

Please see standard response 6.3.1.

PH-SJ039-2

Individual property impacts are not identified at the program-level of environmental analysis and the broad public outreach conducted was appropriate for preparation and review of the Draft EIR/EIS. Notice to property owners that may be directly affected would occur during project-level environmental reviews.

PH-SJ039-3

Please see standard response 6.3.1.

PH-SJ040-1

Please see standard response 2.18.1.

PH-SJ041-1

Please see standard response 2.18.1.

PH-SJ042-1

Please see standard response 2.18.1.

PH-SJ043-1

Please see standard response 2.8.1.

PH-SJ043-2

Please see standard response 6.3.1.

PH-SJ043-3

Please see Responses 2.1.1 and 2.1.2.

PH-SJ043-4

Please see standard response 2.18.1.

PH-SJ044-1

Please see standard response 6.3.1.

PH-SJ045-1

Please see standard response 6.3.1.

PH-SJ046-1

Please see standard response 2.18.1. Please also note that in regards to the San Luis Reservoir Recreation Area and O'Neil Forebay, page III-32 of the Corridor Evaluation report states, "The would be visual impacts to these resources as well as to residential areas adjacent to the alignment". Previously developed information, including the Corridor Evaluation Report, along with new information was reviewed in the preparation of the Draft EIR/EIS.

PH-SJ047-1

Please see standard response 6.3.1.

PH-SJ047-2

Operating speeds may reach 220 mph through segments of the northern mountain crossing alignment options. As the comment notes, there is a distinct change in pressure as the train enters and exits tunnels at these speeds. This has been accounted for in the design criteria requirements for the cross-sectional area of the tunnel (larger cross-sectional area reduces the subsequent pressure change). In addition, to avoid changes in cabin pressure that may be uncomfortable to passengers, it is assumed that the trainsets would be sealed and pressurized. This is common practice for other operating HST services (i.e., Eurostar, Shinkansen, etc.).

PH-SJ047-3

Please see standard response 2.18.1.

PH-SJ048-1

Please see standard response 6.3.1.

PH-SJ049-1

The proposed HST would link the state's major metropolitan areas – which is where the highest concentrations of people (and potential ridership) are now and which are expected to grow. There would be a variety of HST services, including express trains where the HST trains may not stop between the terminus stations. The concept of having a HST system with only two stops, "one at each end and nowhere in between," would not meet the purpose and need identified for the proposed HST system since this would not "link the major metropolitan areas of the state.

The amount of infrastructure needed for the HST system and potential operational costs are summarized in Chapter 4, *Costs and Operations*, of the Draft Program EIR/EIS. Ridership forecasts were done as part of the Authority's June 2000 Business Plan; these forecasts are referenced in Chapter 2, *Alternatives*, of the Draft Program EIR/EIS. Please also see standard response 2.13.1.

PH-SJ049-2

HST systems have been extensively proven in regular revenue service throughout the world. HST systems do not "knock over the vegetation" or "knock things up." HST systems rely on state-of-the-art signaling and communications systems and have proven to be a safe and reliable form of transportation. Modern HST system design includes wayside detection and monitoring systems so that any obstacle or break in the tracks is instantly detected. It is also common practice in operating HST systems to dispatch a non-revenue train (without passengers) over the line daily to physically inspect/test the status of the infrastructure, systems, and right-of-way.

PH-SJ049-3

The Authority's June 2000 Business Plan indicates that the initial capital costs of the HST system would need to be largely publicly financed. The ability for the HST system to have an operational surplus (passenger revenues exceeding operational and maintenance costs) is not related to the initial capital costs of the system. In order to have high ridership, the HST system would have to be competitive as to time and price with other modes of transportation. The fare structure used to produce the ridership and revenue forecasts for the Authority's Business Plan (low-end forecasts) was selected because it increased ridership (e.g., user benefits) while maintaining significant passenger revenue. For purposes of analysis, under this fare structure, HST fares were set to equal 50% of the average airfare (at the time of the analysis) for travel between San Francisco and Los Angeles. However, the HST system would be priced based upon the distance traveled, as opposed to air transportation within California where shorter distance intercity trips are often charged substantially higher rates than longer-distance trips between California's major metropolitan regions. Please also see standard responses 2.1.1 and 2.1.2.

PH-SJ049-4

To avoid changes in cabin pressure that may be uncomfortable to passengers, the trainsets would be sealed and pressurized. This is common practice for other operating HST services (i.e. Eurostar, Shinkansen, etc.).

An HST system is intended to provide a more reliable, safe, and convenient means of intercity travel than is currently available by auto or air. Security is certainly a priority, however pending detailed security planning, it is anticipated that passengers will board and disembark in a relatively hassle-free manner as is the practice of intercity and commuter rail services in this country and HST systems worldwide. Please see standard response 2.8.1 regarding HST security.

PH-SJ050-1

Please see standard response 3.5.3.

PH-SJ050-2

Acknowledged. The purpose of the proposed HST system is to provide intercity travel between California's major metropolitan areas. Improvements to light rail and other transit services are the responsibility of other local and regional agencies and are not the subject of this program environmental process. There must be a limited number of stations to have an effective HST system, and that the HST system needs to operate at high speeds between major cities. However, in Europe and Japan, HST services are designed to allow for a variety of stopping patterns (express, skip-stop, local, etc.), which enable a variety of intercity markets to be served on the same infrastructure. In order to effectively serve California's "major" cities, intermediate stations have been designed with four tracks to allow for express operations.

PH-SJ050-3

Please see standard response 2.18.1.

PH-SJ050-4

Please see standard response 3.5.3.

PH-SJ050-5

Please see standard response 2.18.1.

PH-SJ050-6

Acknowledged. HST services have been operating safely through tunnels for many years and without causing damage to adjacent property.

PH-SJ051-1

Acknowledged.

PH-SJ051-2

Please see standard response 2.18.1.

PH-SJ052-1

Please see standard response 2.18.1

PH-SJ053-1

Please see standard response 2.18.1.

PH-SJ054-1

Please see standard response 2.18.1.

PH-SJ054-2

Please see standard response 6.3.1.

Comment Letter PH-SJ055

PH-SJ055

Statement of James Webb, Jr., Senior Policy Advisor to Mayor Ron Gonzales, City of San José, to High Speed Rail Authority

May 26, 2004

- Intro (name, title, etc.)
- Welcome to San José. Mayor unable to be here.
- Mayor and the San José City Council strongly supports the high-speed rail project. Have seen recent reports that an additional 20 million will be living in California by 2050. It will be tough to build enough highway and freeway capacity to accommodate our growing population.
- If the voters will support it, we believe high speed rail is a viable way to add significant capacity to the state transportation system that get people over long distances quickly and safely. And there are other benefits, including supporting our economy and encouraging smart growth.
- San José supports the EIR recommended southern alignment that would bring high-speed rail into the Bay Area through San José. The City has not taken a position on a specific preference for either the Diablo or Pacheco routes, preferring to wait for a more detailed study of those options before weighing in. We also know others believe the Altamont Pass alignment is a better option and should be further studied.

PH-SJ055-1

PH-SJ055-2

- We acknowledge there are potential environmental issues with any alignment entering the Bay Area. However, for maximum ridership, connectivity opportunities, farebox recovery, and service efficiency and frequency to the three largest Bay Area cities, we believe high-speed rail must enter the Bay Area through San José from the south and proceed up the Peninsula to San Francisco and up the East Bay to Oakland.
- Understand why the Authority did not select the Altamont Pass for further study. The biggest reason is because it reduces service to all three cities and therefore ridership and revenues. Any alternative that significantly reduces the benefits of the project should not be seriously considered. In addition, we do not see any simple, easy or cost-effective way get the service across the Bay so it can serve San Francisco. For those reasons alone, the southern alignment options are superior.
- Nor we ~~the~~ share the belief that high speed should be used to relieve commuter congestion from the Central Valley. The numerous stops needed to make it an effective commuter train would defeat the very purpose of building it.
- Contrary to the assertions of some supporters of the Altamont option, neither San José nor the South Bay exerted any influence in the EIR's recommendation of the southern alignment. However, once the finding was made, we have supported it at every opportunity.

PH-SJ055-2
cont

Comment Letter PH-SJ055 Continued

- We believe the recommended southern alignments are the best options for providing high-speed rail service to the Bay Area. We are confident that based on the operational and technical goals of constructing an effective statewide transportation system, the southern gate way would withstand scrutiny as the best alignment alternative. We not only want to see the project built; we want to see it built right.

PH-SJ055-2
cont

Response to Comments of James Webb, Jr., City of San Jose, High Speed Rail Authority, May 26, 2004 (Letter PH-SJ055)

PH-SJ055-1

Acknowledged.

PH-SJ055-2

Please see standard response 6.3.1.

Comment Letter PH-SJ056

PH-SJ056

Congress of the United States
Washington, DC 20515

May 26, 2004

Joseph Petrillo, Chairman
California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

In response to your solicitation for public comment, we write to express our full support for the California High-Speed Rail Authority's (CHSRA's) Draft Program Environmental Impact Review / Environmental Impact Statement (EIR/EIS) for the proposed California High-Speed Train System as it relates to the San Francisco Bay Area. We wholeheartedly agree with the Authority's decision after thorough study of all alignment options to eliminate the Altamont Pass from further consideration.

A southern approach into the San Francisco Bay Area is the only economically and environmentally sound alignment option that meets the stated purpose of this project: to provide a predictable and consistent mode of intercity travel, connecting the state's major metropolitan areas, commercial airports, mass transit systems and highway network. A southern approach through the Pacheco Pass or the Diablo Range will efficiently serve all three population and economic centers of the Bay Area, while requiring only one split as trains travel through San Jose to Oakland and San Francisco. Minimizing the number of splits in the route between Los Angeles and San Francisco should reduce overall travel time, attracting a greater number of travelers to the new system.

The Altamont Pass, in contrast, would require an unwieldy and unlikely-to-be built three-way split in Union City to serve Oakland, San Francisco and San Jose. This split would seriously reduce the number of trains that can service each of the Bay Area's major metropolitan cities and double the operating costs for the system, transferring the project from one with an operating surplus to one with an operating deficit. The draft environmental document, therefore, appropriately concludes that an alignment along the Altamont Pass "would have an adverse impact on the commercial viability of the entire high speed train system."

The environmental implications of an alignment along the Altamont Pass are even more troubling. The Altamont route would require a new crossing over the San Francisco Bay. Not only is this an economically and politically unlikely alternative, a new Bay crossing


would impact sensitive wetlands, saltwater marshes, and aquatic habitat within and surrounding the Don Edwards San Francisco Bay National Wildlife Refuge. The Bay Conservation and Development Commission has discouraged any new or expanded use of bay waters or shoreline habitat important to sensitive bay species. A high speed rail project that relies on a new bay crossing will likely derail the entire project.

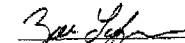
PH-SJ056-4


The design of a project of this magnitude must be based on state-of-the-art planning and engineering principals that are applicable for a 21st century high-speed passenger train system. We commend the CHSRA for its sophisticated analysis of the alignment options in the San Francisco Bay Area and its ongoing commitment to sound transportation planning. As the CHSRA finalizes its EIR/EIS, we urge the Authority to remain firm in its wise decision to eliminate the Altamont Pass from further consideration as an alternative alignment.

PH-SJ056-5

Sincerely,


Michael M. Honda
Member of Congress


Zoe Lofgren
Member of Congress


Anna Eshoo
Member of Congress

PH-SJ056-1

PH-SJ056-2

PH-SJ056-3

PH-SJ056-4

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**Response to Comments of Michael M. Honda, Zoe Lofgren, Anna Eshoo, Congress of the United States, May 26, 2004
(Letter PH-SJ056)**

PH-SJ056-1

Acknowledged.

PH-SJ056-2

Please see standard response 2.18.1.

PH-SJ056-3

Please see standard response 6.3.1.

PH-SJ056-4

Please see standard response 2.18.1.

PH-SJ056-5

Please see standard response 6.3.1.

Comment Letter PH-SJ057

PH-SJ057



SIERRA CLUB
FOUNDED 1892

High Speed Rail Authority Board
925 L Street, Suite 1425
Sacramento, CA 95814

May 26, 2004

Chair Petrillo and Board Members,

My name is Melissa Hippard and I am the Conservation Representative for the Loma Prieta Chapter of the Sierra club. Our jurisdiction includes San Mateo and Santa Clara counties – both of which are effected by the proposed HSR system routes linking the Central Valley to the Bay Area.

I am here today to ask you to seriously consider the significant and permanent negative environmental consequences identified in the current draft environmental impact report (DEIR) for the proposed high speed rail system for California. Of particular concern are the tremendous environmental impacts the proposed HSR routes through the Diablo range present. The Sierra Club sees the positives of the concept of high speed rail for California and supports study of this project. However, in the process of carefully and thoroughly reviewing the draft environmental impact report (DEIR) our team has discovered numerous flaws that lead us to insist that the High Speed Rail Authority revise and re-circulate the document.

According to the California Environmental Quality Act a project proposal must contain all feasible alternatives. The omission of Altamont Pass as a feasible alternative for bringing the HSR from the Central Valley to the Bay Area is a serious flaw with the potential for remedying through legal action. However, rather than seek redress through the courts it would be more cost effective and efficient for all concerned to resolve this matter by improving the environmental analysis with careful attention to meeting CEQA and NEPA guidelines.

From an environmental perspective, the similarity of environmental impacts of the proposed routes through the Diablo Range, especially the northern alignment and two through Henry Coe Park, we are not provided a feasible range of alternative to choose among. The impacts of the HSR to the Mt. Hamilton area, Coe Park and numerous wetlands are serious. The entire area is comprised of undeveloped, intact ecosystems home to an amazing array of wildlife, including endangered and threatened species.

The construction of rail infrastructure through this area would have both short and long term impacts from new roads, tunnel entrances and exits and hillside cuts for at-grade routing. The DEIR does not adequately address these impacts, and in fact suggests that the northern alignment is preferable due to the minimal species impact - this claim is based on the limited biological surveys done due to the limits of accessing these private lands. The Mt. Hamilton area has been identified as a priority for acquisition by the Nature Conservancy (<http://nature.org/success/mthamilton.html>). Henry Coe state park and the Orestimba Wilderness area within it are protected by state statute. Finally, the Pacheco Pass route would impact numerous wetland and protected areas including the Los Banos Wildlife Refuge and the San Felipe Lake wetlands area, which has been identified as an Important Bird Area by the Audubon Society.

The suggestion that the environmental impacts of new Bay Crossing make this alternative a non-starter has no evidence to support it. At a meeting held on April 8th in the Chair's office in Sacramento the Bay Conservation and Development Commission, the Coastal Conservancy and Save the Bay all indicated they

have no objections to a study of this route alternative. In addition, there may be some benefits leveraged for fill use in the restoration of the South Bay Salt Ponds. Also, there is no need for a three way split of the train. Oakland, whose connection is planned for after the initial construction phase, can be adequately served through a BART connection as indicated to you by Mayor Brown in a letter dated April 20, 2004. As for service - linked trains leaving southern California can de-couple in Fremont ensuring dedicated service trains for San Jose and San Francisco is one solution. Running all trains through San Jose makes it unlikely that any train would be dedicated to serve this city.

Another serious concern glossed over by the DEIR is the sprawl inducing potential of the routes across the Diablo Range. South Santa Clara and San Benito counties are home to thriving open space and agricultural landscapes that would be forever lost. The Pacheco/Hamilton routes would promote sprawl by opening up transportation patterns where none currently exist, including a station at rural Santa Nella, 12 miles from Los Banos and 1/5 miles east of I-5. The construction of a rail line through the Mount Hamilton area would make the potential for future highway and suburban development more likely. The cumulative impacts that could result from these routes would fundamentally change this special area.

In addition to the concerns detailed above, there are serious statewide issues that are being raised by a range of concerned organizations including the Planning and Conservation League, the Surface Transportation Policy Project, Train Riders Association of California, the California State Parks Foundation and the American Farm Trust.

Please consider that CEQA is not about stopping projects, it is for improving them. The HSR project has great potential for our state, however, as it currently is planned California will not realize the environmental benefits intended due to the significant and permanent environmental costs associated with the proposed alignment in the DEIR.

Thank you for your consideration of my comments.

Melissa Hippard
Conservation Representative

Loma Prieta Chapter 3921 East Bayshore Road Ste 204 Palo Alto, Ca. 94303
TEL: [650] 390-8411 FAX: [650] 390-8497 lomaprieta.sierraclub.org

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Response to Comments of Melissa Hippard, Sierra Club, May 26, 2004 (Letter PH-SJ057)

PH-SH057-1

Please see standard response 2.18.1.

PH-SJ057-2

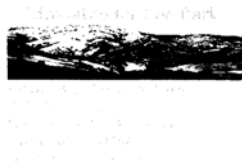
Please see standard response 6.3.1.

PH-SJ057-3

Please see standard response 2.18.1.

PH-SJ057-4

Please see standard response 6.3.1.

Comment Letter PH-SJ058**PH-SJ058****Orestimba Wilderness, Henry W. Coe State Park****Identified as a High-Speed Rail alignment option**

Wilderness is a vanishing and non-renewable resource. There is precious little left in Northern California, and the Orestimba State Wilderness represents 25% of what has been preserved by the State. Citizens have approved countless bond measures to acquire park and wilderness land. The California Legislature has enacted laws to protect it. State Wilderness is, by law, roadless; mechanized transportation within wilderness areas is prohibited. Wilderness is impossible to replicate once lost.

Odd as it may seem, two of the four routes currently under consideration for the 200+ MPH high-speed rail line that will connect Los Angeles and San Francisco, pass directly through the Orestimba State Wilderness. If this wilderness falls prey to such a project, it will set a precedent that will have terrible repercussions in the future.

Your voice in this matter is crucial. If you would like to express your opinion, we recommend writing the Governor, your State Legislators, and the High-Speed Rail Authority board. We do not need to sacrifice a State Wilderness to have high-speed rail.

PH-SJ058



Middle Fork of Coyote Creek

Response to Comments Henry W. Coe State Park (Letter PH-SJ058 and Attachment E)

PH-SJ058-1

Please see standard response 6.3.1.

Comment Letter PH-SJ059

PH-SJ059



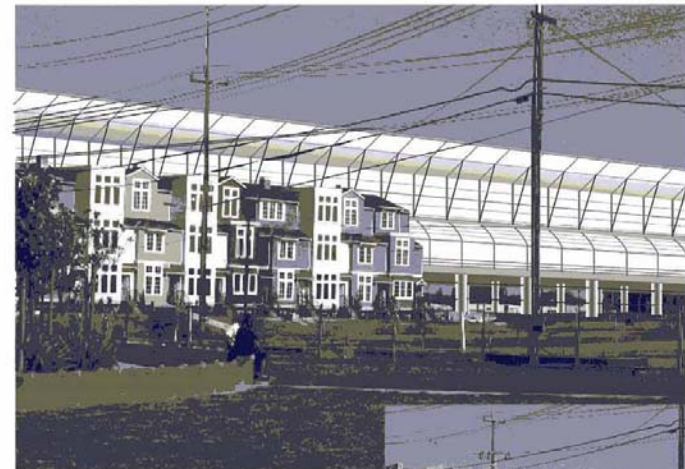
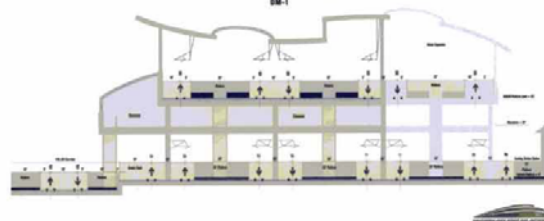
Diridon Station from East

Caltrain at Grade
 Mezzanine at 30 feet
 High Speed Rail at 45 feet
 300,000 square feet of elevated platforms
 Elevated approach tracks



M. Kiesling www.arch21.org

San Jose to Merced
 Mount Diablo - Northern Merced
 Pacheco Pass - Merced Similar
 from Diridon Station, San Carlos St to The Alameda
 DM-1



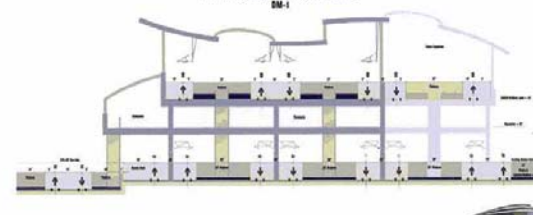
Diridon Station from West

Caltrain at Grade
 Mezzanine at 30 feet
 High Speed Trains at 45 feet



M. Kiesling www.arch21.org

San Jose to Merced
 Mount Diablo - Northern Merced
 Pacheco Pass - Merced Similar
 from Diridon Station, San Carlos St to The Alameda
 DM-1



Response to Comments (Letter PH-SJ059)

PH-SJ059-1

Attachment to PH-SJ021-2. No response needed.

Comment Letter PH-SJ060

PH-SJ060

HIGH SPEED RAIL AUTHORITY BOARD
Public Hearing San Jose
May 26, 2004

Re: Diablo Range Direct Proposed Alternative Route – Opposition By Isabel Valley Ranch Owners/Richard McDonald

Ladies and Gentlemen:

Good afternoon. My name is Richard McDonald. My family is one of three families who own the Isabel Valley Ranch located in the Diablo Range southeast of San Jose. The other owners are the Oneal and the Swenson families. I am here today to speak in opposition to the Diablo Range Direct Alternative Route, and specifically the proposed Northern Tunnel alignment for the San Jose to Merced segment of the proposed High Speed Train Project. The other property owners have also made the Board aware of our opposition to this proposal, and will/have further addressed their concerns here today.

The Diablo Range Direct – Northern Tunnel alignment would result in extreme environmental damage to the Isabel Valley. The damage would include severe habitat destruction, major fragmentation and significant disruption for a number of indigenous species, including protected species such as tule elk, pronghorn antelope, mountain lions, eagles, and virtually every other species of animal/bird and plants that are native to the area. There would also be major adverse impacts to the area as a watershed, the underground aquifers, the geology and the archaeology. In short, the bullet train would be an environmental disaster to the entire Diablo Range, and especially the Isabel Valley.

The Isabel Valley Ranch itself is approximately 12,000 acres. The same families have owned and maintained this property in a virtually natural state for over 50 years. Many other family owned ranches in the area go back much further than that. Our ranch, as well as those of our neighbors, will literally be bisected by the proposed route. A bullet train will cut the

property in half, and with it the habitat and migrational corridors, for hundreds of protected elk, approximately 30 (but growing in number) antelope, and thousands of other native animals.

The residual environmental impacts would destroy forever, the pristine nature of this valley, which is today much as it was 100 years ago, 200 years ago, 500 years ago. Save and except for some stock ponds and permitted lakes, some pasture fences, some fire trails and some dirt roads, the Isabel Valley is truly a wilderness area, even though it is barely 20 miles from San Jose.

The three families who own the Isabel Valley Ranch share a very strong commitment to keeping this land in its natural state. The property is under the Williamson Act, it is not for sale and not held for development. The ranch has passed through three generations of owners in the same condition, and it is our commitment to pass it on as we took it on.

A high speed “bullet” train making many trips a day through the valley at grade elevation would be an environmental abomination. For your ready reference I have taken a few snapshots in the vicinity of the proposed alignment. See Exhibit 1, sheet 2 of 5 dated 6/6/02, which I obtained from HRA staff. These photos are attached to the written version of this statement, which has been passed out to each Board member.

Although shot with just a disposable camera on horseback, these photos of elk (Exh 2), antelope (Exh 3), wild turkeys (Exh 4), and even a coyote who posed for me along the roadside on the way in (Exh 5) convey a sense of the natural beauty and largely intact wildlife habitat that would be permanently and irretrievably damaged, if not utterly destroyed by the construction, maintenance and operation of a high speed train in this area. The photos show a small portion of the large elk herd that lives and thrives in the very same valley where the proposed train would bullet through many times each day. These grainy photos do not begin to portray the reality of

PH-SJ060-1
cont

PH-SJ060-1

000/394753.1



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comment Letter PH-SJ060 Continued

the current pristine condition of the property, and the thriving habitat it sustains. However, the Board has to have some visual appreciation for the area. One cannot appreciate the beauty, and importance of this wilderness to the people, plants and animals who live there by reviewing lines drawn on high altitude photos.

I know my time is brief. I have some other points to make "for the record." As owners of this property we are also struck by the lack of notice and communication from the HRA during this process. While we understand the legal notice requirements for EIR review are subject to interpretation, the fact is that nobody from the HRA, its staff or consultants contacted the property owners, even to ask for access or information during the preparation of the draft EIR, is an important point. This project has really only come to our actual knowledge and attention within the past 60 days.

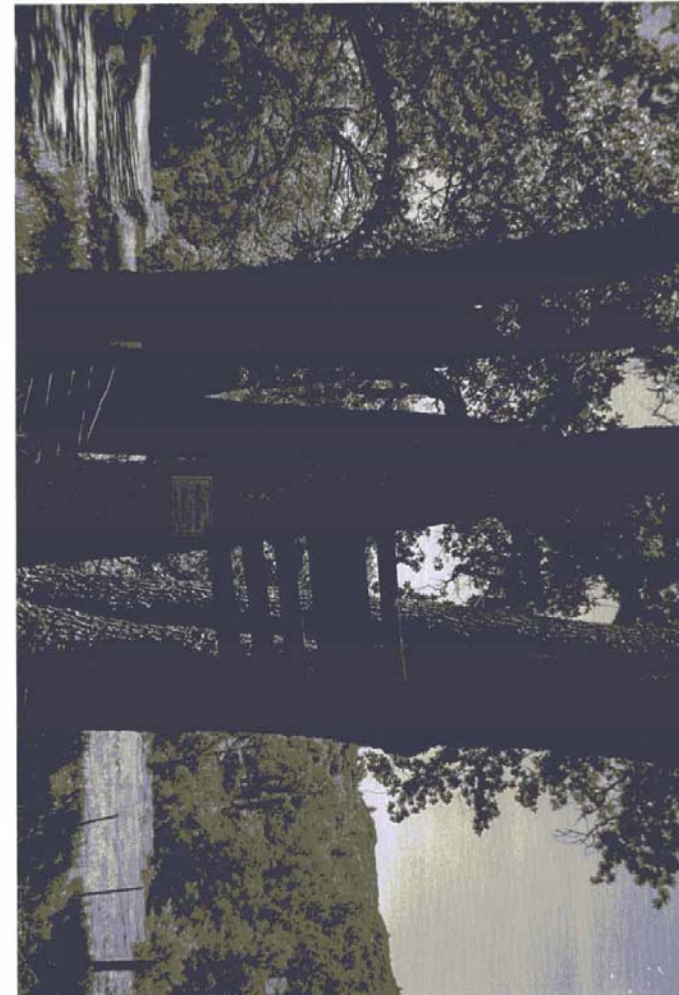
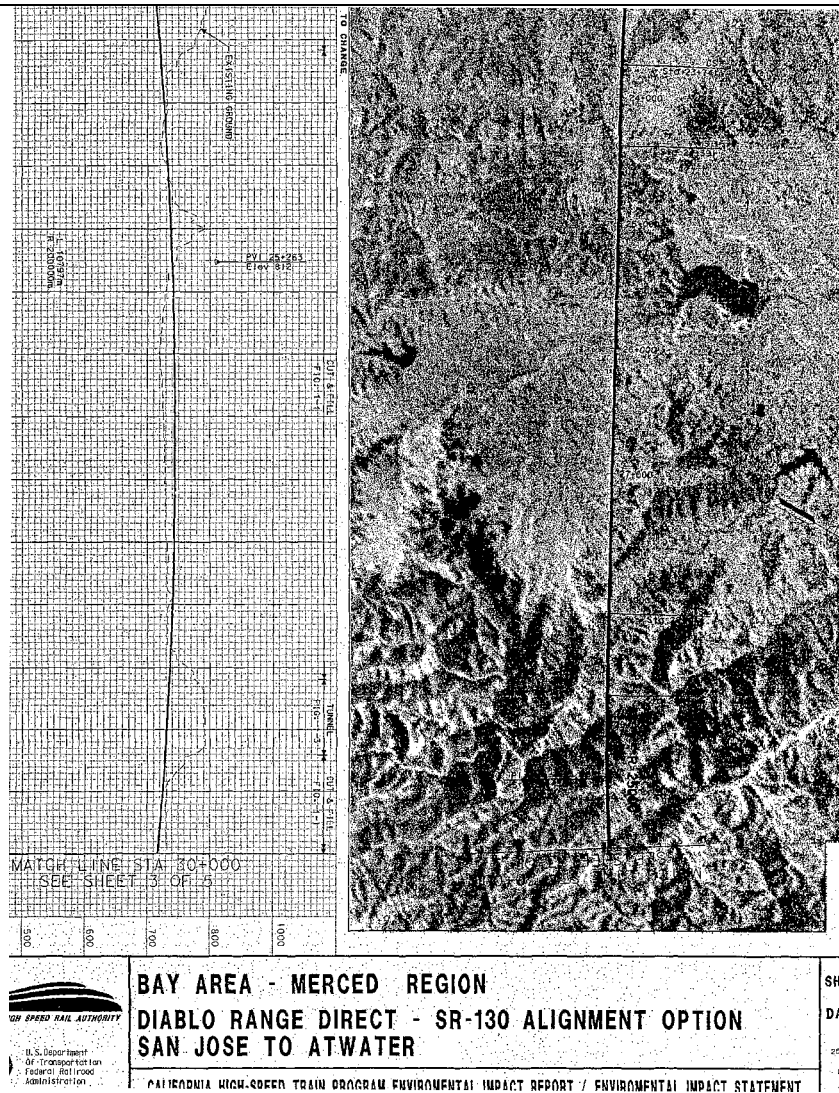
The program level environmental review of this alignment lacks any meaningful attempt to identify, explain, or mitigate the environmental devastation that would result from the presence of such a train on this property. The Board is urged to reject any Diablo Range alternative. It is inconceivable that a finding could be made that it is the least environmentally damaging practicable alternative, particularly without a much more detailed review and analysis. Thank you.

PH-SJ060-1
cont

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EXHIBIT 1

Comment Letter PH-SJ060 Continued



EIR-000244

Comment Letter PH-SJ060 Continued

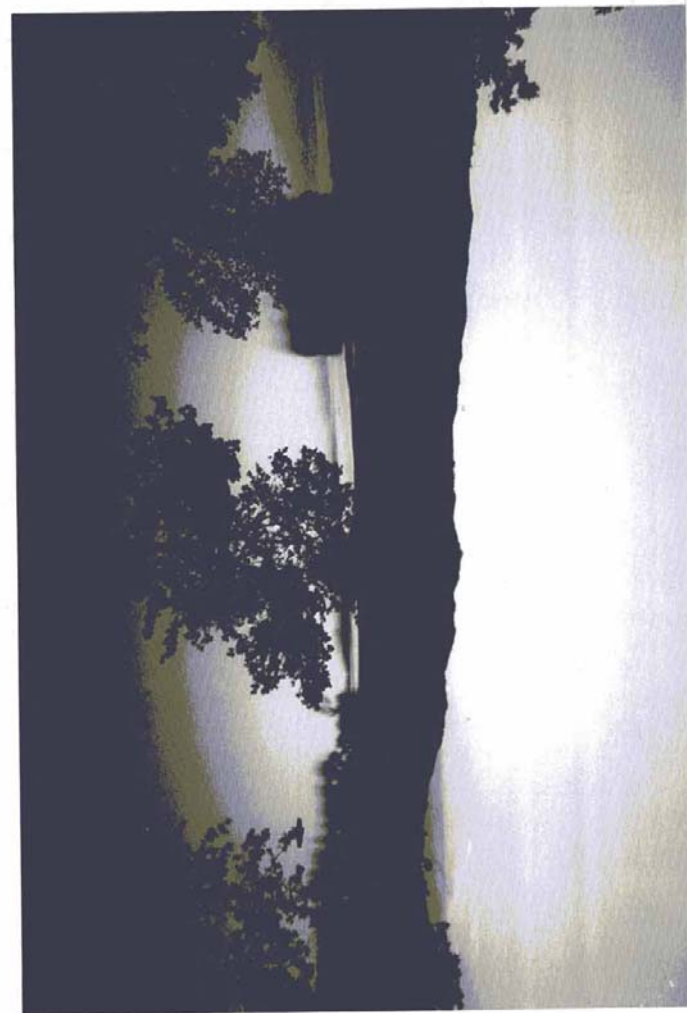


EXHIBIT 2

EIR-000246

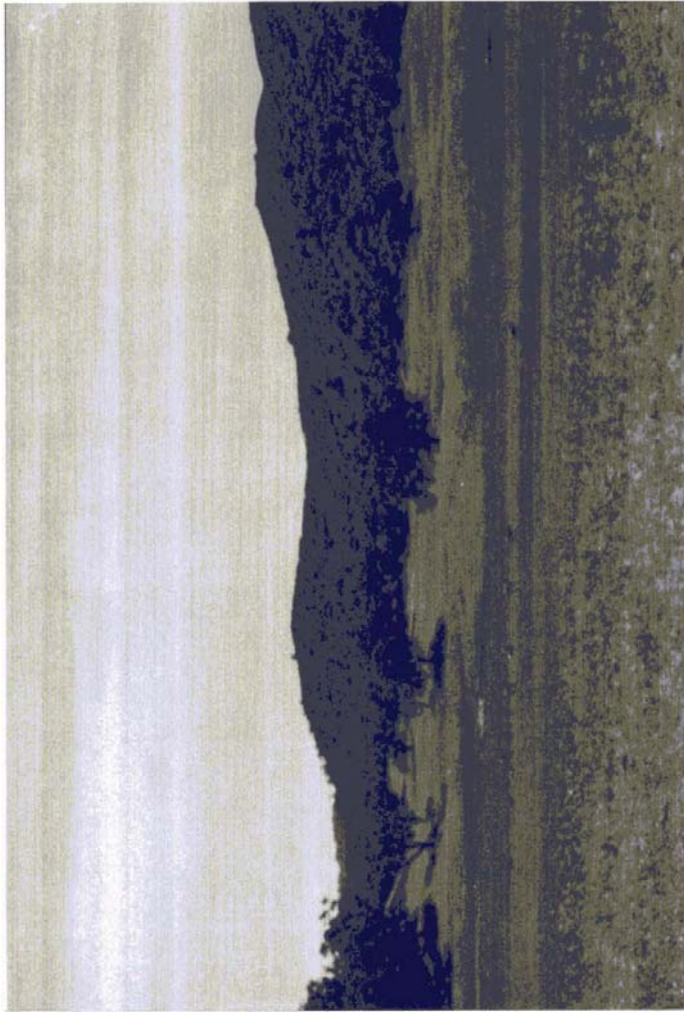
Comment Letter PH-SJ060 Continued



EIR-000247

EXHIBIT 3

Comment Letter PH-SJ060 Continued



EIR-000249



EIR-000250

Comment Letter PH-SJ060 Continued

EXHIBIT 4



EIR-000252

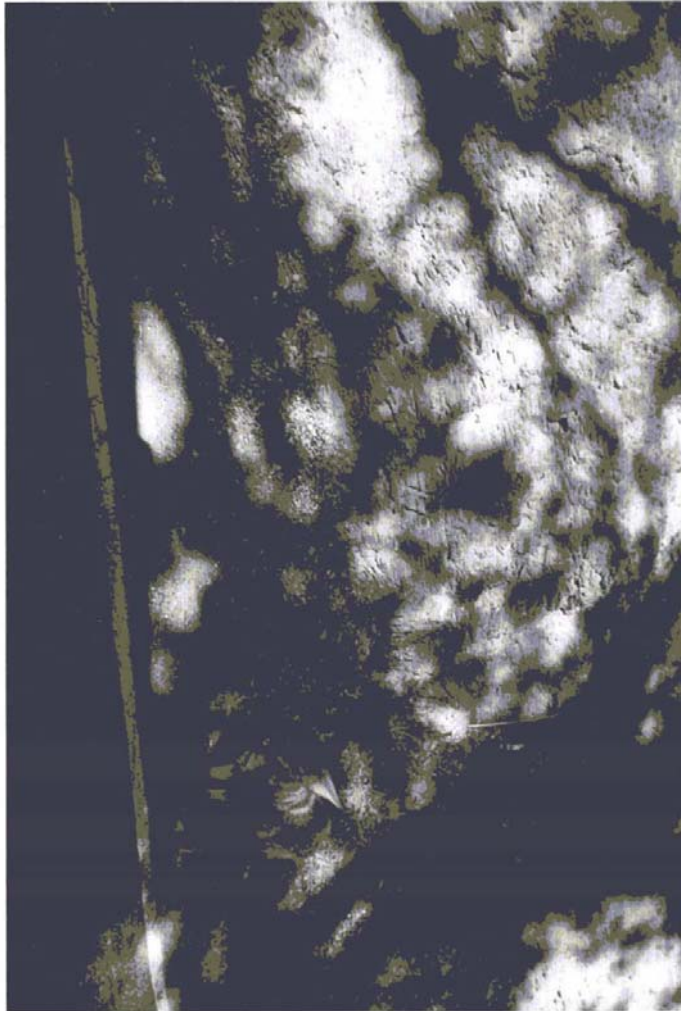
Comment Letter PH-SJ060 Continued



EIR-000253

EXHIBIT 5

Comment Letter PH-SJ060 Continued



EIR-000255

Response to Comments of Richard McDonald, May 26, 2004 (Letter PH-SJ060)

PH-SJ060-1

Read under PH-SJ039. Please see PH-SJ039 for responses. Please see standard response 6.3.1.

Comment Letter PH-SJ061

PH-SJ061

DRAFT PROGRAM EIR/EIS DOCUMENT
California High Speed Rail Authority
January 20, 2004

1. Please furnish detailed financial analysis to support statements on Revenue and Return on Investment as stated on page 2-4. Cost of Capital, investment in property and equipment, life cycle maintenance costs of infrastructure, trackage, and all equipment must be included, as well as projected fare structure and other sources of revenue.

PH-SJ061-1

When Caltrain and BART struggle with tax supported financial matters, and AMTRAK requires near 800 million dollars annually to prevent collapse, how can HST System achieve these financial projections as shown in this EIR/EIS document?

2. Will HST System be a freight railroad as well?-- Ref. page 2-25

PH-SJ061-2

3. Noise abatement/mitigation. First time mention of use of sound abatement walls, where and in what configuration are walls proposed? This could be a MAJOR environmental consideration in urban areas, SF-SJ corridor, where sound, 80-90 dBA, from 100-125 mph trains is projected. Ref. page 3.4-5.

PH-SJ061-3

4. Table 7.3-1. Summary of Key Environmental Impact/Benefits: This Table, [and this total document], seems to understate the Impacts and overstate the Benefits. Provide detailed justification for this table and its contents. Example: Understates the Impact on Peninsula Corridor Communities.

PH-SJ061-4

5. Please note: San Mateo County residents have not been provided with a Public location in which to review this document.

PH-SJ061-5



PHILIP D. LIVELY, P.E.
24 Hawthorn Drive
Atherton, Ca. 94027
650-328-7660

Response to Comments of Philip D. Lively, P.E., January 20, 2004 (Letter PH-SJ061)


PH-SJ061-1 through 5

Read under PH-SJ007. Please see PH-SJ007 for responses.

Comment Letter PH-SJ062

PH-SJ062

PUBLIC HEARING ON CALIFORNIA HIGH-SPEED TRAIN DRAFT PROGRAM EIR/EIS

 **COMMENT SHEET**

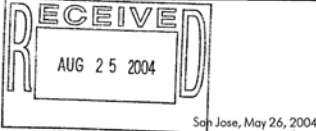
Written comments may be submitted at today's meeting or be mailed or faxed to the Authority.


Mail: California High-Speed Train
Draft Program EIR/EIS Comments
925 L Street, Sacramento, CA 95814

Fax: (916) 322-0827
Attn: California High-Speed Train
Draft Program EIR/EIS Comments

Comments may also be submitted through the Authority's
Web site: www.calhighspeedrail.ca.gov.

All comments must be received by end of day August 31, 2004.



Name:  **John W. Scherrer**
Affiliation (if any): 7390 Kentwood Court
Gilroy, CA 95020-4741

Address: _____

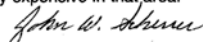
City, State, Zip: _____

Phone #: (408) 842-2992

E-mail: _____

Please provide your comments below on the project's draft environmental document:

I own that portion of land on Pacheco Pass Hwy. 152 where the proposed route of the California High Speed Train would be crossing the South Fork of Pacheco Creek, namely Parcel Numbers 898-57-001, 002, 898-14-009, 019. I don't know where exactly the crossing is intended to be located but I signed an agreement over two years ago with the Federal Government that declares the land from three hundred feet from center line on both sides of the creek as Wilderness for the life of the land on all that portion of the creek on parcels 009 and 019 and the upper portion of the creek on parcels 001 and 002. That means that no construction of any kind can take place above or below that portion of the land. If, on the other hand the intended crossing is on that portion of parcels 001 and 002 that are not included in the agreement, then I have another concern. I have a cattle operation on the property and a road that follows along the east side of the creek which is frequently used by the cattle. Any construction would have to provide me with a tunnel access through that crossing for both cattle and vehicle. Another concern would be the disposal material. I presume part of it would be used for the above ground creek crossing but what of the rest? Another concern of course is land values. Pretty expensive in that area.



PH-SJ062-1



Thank you for your comments. If needed, please continue on reverse.

Response to Comments of John W. Scherrer, P.E., August 25, 2004 (Letter PH-SJ062)

PH-SJ062-1

Please see standard response 6.3.1.